



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,489	12/26/2000	Alan T. Yaung	STL000044US1	5889

7590 05/16/2006

SUGHRUE, MION, ZINN, MACPEAK, SEARS, PLLC
2100 PENNSYLVANIA AVE,NW
WASHINGTON, DC 20037

EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
----------	--------------

2194

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,489

Applicant(s)

YAUNG, ALAN T.

Examiner

VAN H. NGUYEN

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 and 37-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the appeal brief filed February 27, 2006. Claims 1-35 and 37-39 are presented for examination.

Response to Arguments

2. In view of the appeal brief filed on February 27, 2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-35 and 37-39 are rejected under 35 U.S.C. 102(e) as being anticipated by

Caron (US 6848108).

As to claim 1:

Caron teaches a method for communication (*e.g., creating, sending, receiving messages over a network*) between a first computer (*e.g., machine 1*) and a second computer (*e.g., machine 1*) [*see the Abstract, and the discussion beginning at col.2, line 10*], the method comprising:

- under control of a first client application (*e.g., see the sending application discussion beginning at col.2, line 10 and col.5, line 55*) at the first computer, creating (*e.g., creating*) a message (*e.g., a message*) [*see the Abstract, and the discussion beginning at col.2, line 10*], wherein the message comprises at least one out of a group of: an event notification with zero text and zero

Art Unit: 2194

content identifiers, a text message, and a content identifier (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*); and

putting the message into a message queue [*e.g., see the message queue discussion beginning at col.2, line 10 and col.4, line 14*];

- under control of a second client application (*e.g., see the receiving application discussion beginning at col.2, line 10 and col.5, line 55*) at the second computer,

retrieving the message from the message queue [*e.g., see the message queue discussion beginning at col.2, line 10 and col.4, line 14*].

As to claim 2:

Caron teaches text comprises a string of alphanumeric characters (*e.g., see the message discussion beginning at col. 5, line 55*).

As to claim 3:

Caron teaches a content identifier comprises an item identifier and a server name (*e.g., see the message discussion beginning at col. 5, line 55*).

As to claim 4:

Caron teaches the message comprises an event notification with zero text and zero content identifiers (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7).*

As to claim 5:

Caron teaches the message comprises text with zero content identifiers (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7).*

As to claim 6:

Caron teaches the message comprises zero text and one or more content identifiers that represent items in a data store connecting to the server computer (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7).*

As to claim 7:

Caron teaches the message comprises an object (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7).*

As to claim 8:

Caron teaches the message is put into the message queue via a method of a class (*e.g., see the message queue discussions beginning at col.2, line 10 and col. 5, line 55).*

As to claim 9:

Caron teaches the message is retrieved from the message queue via a method of a class (*e.g., see the message queue discussions beginning at col.2, line 10 and col. 5, line 55*).

As to claim 10:

Caron teaches, the rejection of claim 1 is incorporated herein in full. Additionally, Caron further teaches a second computer connected to the first computer in a datastore management system and the first computer and the second computer connected to a server computer (*e.g., see the discussion beginning at col.2, line 10 and col. 5, line 7*).

As to claims 11-18:

Note the rejection of claims 2-9 above. Claims 11-18 are the same as claims 2-9, except claims 11-18 are apparatus claims and claims 2-9 are method claims.

As to claim 19:

The rejection of claim 1 is incorporated herein in full. Additionally, Caron further teaches a datastore management system

As to claims 20-27:

Note the rejection of claims 2-9 above. Claims 20-27 are the same as claims 2-9, except claims 20-27 are program storage medium claims and claims 2-9 are method claims.

As to claim 28:

The rejection of claim 1 is incorporated herein in full. Additionally, Caron further teaches wherein when a body of the message comprises the text, the text is passed to the second application, when the body of the message comprises the content identifier, objects are forwarded to the second application, and when the body of a message comprises no the text and no the content identifiers the message is an event notification notifying the second application of an occurrence of an event (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*).

As to claim 29:

Caron teaches the content identifier identifies a search result of a search performed by said first application, and wherein said search result comprises at least one object stored in said at least one server computer (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*).

As to claim 30:

Caron teaches the system is a federated content management system (*e.g., see the Abstract and the discussions beginning at col.2, line 10*).

As to claim 31:

Caron teaches the first and second applications are client applications (*e.g., see the discussions beginning at col.4, line 14 and col.6, line 8*).

As to claim 32:

Caron teaches the system is a distributed computing system and the server connects to at least one data storage (*e.g., see the discussion beginning at col.2, line 10 and col. 4, line 56*).

As to claim 33:

Caron teaches the first and the second computers execute portals for messaging between the first and second applications (*e.g., see the discussion beginning at col.2, line 10 and col. 4, line 14*).

As to claim 34:

Refer to the discussion of claim 3 above for rejection.

As to claim 35:

The rejection of claim 1 is incorporated herein in full. Additionally, Caron further teaches the message comprises a text length value and a content identifier count value (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*).

As to claim 37:

Caron teaches when the text length value is zero and when the content identifier count value is zero, the message is an event notification (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*).

Art Unit: 2194

As to claim 38:

Caron teaches when the content identifier count value is greater than zero, the message further comprises at least one content identifier identifying an object from a heterogeneous storage (*e.g., see the message discussions beginning at col.2, line 56 and col. 5, line 7*).

As to claim 39:

Caron teaches under said control of the first client application, the first computer connects to a queue manager and puts the message into the message queue, and wherein under said control of the second client application, the second computer connects to the queue manager and retrieves the message from the message queue (*e.g., see fig. 2A and the discussion beginning at col.6, line 8*).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant should review these references carefully before responding to this office action.

Contact Information

5. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Art Unit: 2194

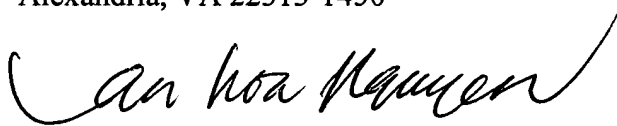
Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

A handwritten signature in black ink, appearing to read "Van H. Nguyen", with a stylized flourish at the end.

Van H. Nguyen
Patent Examiner, Au 2194